

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

Set: 1:00 PM
Started: 2:55 PM
Ended: 3:13 PM

MINUTES OF PROCEEDINGS

BEFORE HONORABLE LAURA TAYLOR SWAIN

DATE June 28, 2017

COURTROOM DEPUTY: Carmen Tacoronte

COURT REPORTER: Amy Walker

In Re: The Financial Oversight & Management Board for Puerto Rico <i>as representative of</i> The Commonwealth of Puerto Rico, <i>et al.</i> Debtors	3:17-BK-3283 (LTS) (Jointly Administrated)
In Re: Financial Oversight & Management Board for Puerto Rico <i>as representative of</i> Puerto Rico Highways and Transportation Authority Debtor	3:17-BK-3567 (LTS) (Joint Administration Requested)
Peaje Investment, LLC Plaintiff v Puerto Rico Highways & Transportation Authority et al. Defendants	3:17-AP-151 (LTS) <i>in 17-BK-3567 (LTS)</i>
Peaje Investment, LLC Plaintiff v	3:17-AP-152 (LTS) <i>in 17-BK-3283 (LTS)</i>

Pretrial Conference
Adversary Proceedings
June 28, 2017

Puerto Rico Highways & Transportation Authority et al. Defendants	
Assured Guaranty Corp. et al Plaintiff v Commonwealth of Puerto Rico, et al. Defendants	3:17-AP-155 (LTS) <i>in 17-BK-3283 (LTS)</i>
Assured Guaranty Corp. et al Plaintiff v Commonwealth of Puerto Rico, et al. Defendants	3:17-AP-156 (LTS) <i>in 17-BK-3567 (LTS)</i>
Ambac Assurance Corporation Plaintiff v Commonwealth of Puerto Rico, et al. Defendants	3:17-AP-159 (LTS) <i>in 17-BK-3283 (LTS)</i>

Pretrial Conference held.

The Court made reference to the Preliminary Pre-Trial Statement filed by the parties on June 22, 2017.¹ The current schedule and structural provisions regarding the Peaje Preliminary Injunction Motion remain as set as well as the extended deadline to answer to the complaint.

The issue of scheduling and structural provisions for the Assured and Ambac adversary cases was taken under advisement.

Attorney Brilliant requested that, as to the Peaje cases, the Court eliminate the provision established by Local Civil Rule 83A(f), which states that local counsel shall be present at all proceedings,

¹ See DE 69 in 17-AP-151 (LTS), DE 62 in 17-AP-152 (LTS), DE 18 in 17-AP-155 (LTS), DE 27 in 17-AP-156 (LTS) and DE 24 in 17-AP-159 (LTS).

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in regards to depositions. Counsel requested that local counsel be excused from attending depositions in outside of Puerto Rico due to the expense. Attorney Mungovan informed that arrangements have been made for their local counsel to appear by phone. Attorney Brilliant's application was granted, but only as to depositions held outside of Puerto Rico in the current phase of the Peaje cases.

Attorneys Brilliant and Friedman inquired as to whether discovery disputes in the Peaje cases should be directed to Judge Swain or Judge Dein. Judge Swain stated that such disputes should be directed to her unless she orders otherwise.

Attorney Halstead informed of the fact that on July 3, 2017 there is a payment due on the HTA bond. She also stated that Attorney Uhland sent a letter to The Bank of New York Mellon (BNY), the fiscal agent, forewarning them that any payment will be a violation of the automatic stay. The issue is being discussed among counsel and a stipulation as to the matter will be submitted to the Court.

s/Carmen Tacoronte
Carmen Tacoronte
Courtroom Deputy Clerk